

0505
2025
MONDAY

Court : CB-07
Item : DL-38
Bench : SINGLE
Matter : WPA
Status : DO
ID : 266057
AR : NANDY

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

WPA 10366 OF 2022

SAMSUL HUDA SARDAR & ANR.
VS.
THE STATE OF WEST BENGAL & ORS.

MR. ANIL KUMAR CHATTOPADHYAY, ADVOCATE

.....for the Petitioner

MR. RAJARSHI BASU, ADVOCATE

.....for the State

1. The affidavit of service filed in Court today is taken on record.
2. The present writ petition has been filed seeking a direction upon respondent no. 3 to take an appropriate decision on the petitioner's representation dated 10.05.2022. The petitioner's primary grievance pertains to the inaction of the concerned respondent in not considering the said representation, wherein it has been alleged that the private respondent has unlawfully constructed a shop room by encroaching upon land belonging to the Public Works Department (Roads), Government of West Bengal.
3. The petitioner submits that he has made several representations before the concerned authority, requesting necessary action for the removal of the unauthorized structure allegedly constructed by the private respondent. However, despite these repeated representations, no favorable response has been received from the authority, thereby compelling the petitioner to file the present writ petition.
4. Mr. Rajarshi Basu, learned advocate appearing for the State, however, opposes the petitioner's contention.

5. Having heard the learned advocates for the parties and upon perusal of the materials on record, I direct the respondent no. 3 to take an appropriate decision on the petitioner's representation dated 10.05.2022, after affording an opportunity of hearing to both the petitioner and the private respondent.
6. If respondent no. 3 deems it proper, he may call for a report from the concerned Block Land and Land Reforms Officer. In the event respondent no. 3 finds merit in the allegations made by the petitioner in his representation, he shall initiate appropriate follow-up action in accordance with law.
7. If respondent no. 3 finds that the petitioner's claim lacks merit, he shall pass a reasoned order, which must be communicated to the petitioner forthwith.
8. The entire exercise shall be carried out in a period of eight weeks from the date of communication of this order.
9. With these observations and order, the writ-petition being **WPA 10366 of 2022** is **disposed of**.

(PARTHA SARATHI CHATTERJEE, J.)

